

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**  
**No. 23-2057V**

JOANNE TEIXEIRA,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: March 7, 2025

*Ryan C. Johnsen, Lipsitz Green Scime Cambria LLP, Buffalo, NY, for Petitioner.*

*Tyler King, U.S. Department of Justice, Washington, DC, for Respondent.*

**RULING ON ENTITLEMENT<sup>1</sup>**

On December 1, 2023, Joanne Teixeira filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*<sup>2</sup> (the “Vaccine Act”). Petitioner alleges that her receipt of an influenza (“flu”) vaccination on November 13, 2022, caused her to suffer a Guillain-Barré Syndrome (“GBS”) Table injury. Petition at 1. Petitioner further alleges that she received her vaccination in the United States, suffered the residual effects of her injury for more than six months, and that there has been no prior award or settlement of a civil action on her behalf as a result of her injury. See Petition at ¶¶ 2, 15-16. The case was assigned to the Special Processing Unit of the Office of Special Masters.

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<sup>1</sup> Because this Ruling contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

<sup>2</sup> National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2018).

On February 20, 2025, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent's Rule 4(c) Report at 1. Specifically, Respondent states that he

recommends that petitioner be found entitled to compensation. Petitioner satisfies the criteria set forth in the Vaccine Injury Table ("Table") and the Qualifications and Aids to Interpretation for a Table injury that the flu vaccination caused her GBS. See 42 C.F.R. §§ 100.3(a)(XIV)(D), 100.3(c)(15). Petitioner also satisfies the Vaccine Act, including that no alternative cause more likely explains her condition and that her condition has persisted for more than six months. See 42 U.S.C. § 300aa-13(a)(1)(B); *Id.* § 300aa-11(c)(1)(D)(i).

*Id.* at 6.

**In view of Respondent's position and the evidence of record, I find that Petitioner is entitled to compensation.**

**IT IS SO ORDERED.**

**s/Brian H. Corcoran**

Brian H. Corcoran  
Chief Special Master